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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 JAMES V. CAICO,

No. CIV S-02-1608 MCE GGH P

12 Plaintiff,

13 v.

ORDER

14 D. L. RUNNELS, ET AL.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, has filed
18 this civil rights action seeking relief under 42 U.S.C. § 1983.
19 The matter was referred to a United States Magistrate Judge
20 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No.
21 262.

22 On October 6, 2005, the magistrate judge filed findings and
23 recommendations herein which were served on all parties and which
24 contained notice to all parties that any objections to the
25 findings and recommendations were to be filed within twenty days.

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1 Plaintiff has filed objections to the findings and
2 recommendations.


3 In accordance with the provisions of 28 U.S.C.
4 § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a
5 de novo review of this case. Having carefully reviewed the
6 entire file, the court finds the findings and recommendations to
7 be supported by the record and by proper analysis.

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. The findings and recommendations filed October 6, 2005,
10 are adopted in full; and

11 2. Defendant Gaulden is dismissed.

12 DATED: December 1, 2005

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16 MORRISON C. ENGLAND, JR
17 UNITED STATES DISTRICT JUDGE
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